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September 8, 2000

**Via Messenger Delivery**

Carol Ropski  
U.S. EPA - Region 5  
Emergency Enforcement & Support  
Section SE-5J  
77 West Jackson Blvd.  
Chicago, IL 60604

**Re: Nicor Gas Mercury Sites (Scrap Yards and Processing Facilities)  
Response to Second Request for Information Pursuant to  
Section 104(e) of CERCLA**

Dear Ms. Ropski:

This letter and its attachments are the formal response of Nicor Gas ("Nicor") to the information requests contained in the September 1, 2000 letter from Mr. Richard C. Karl, Chief of the Emergency Response Branch at U.S. EPA, Region V, which provided Nicor with general notice of potential liability and requested certain information pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. §§ 9601 et seq., in connection with Nicor's further investigation of past practices involving the management of gas regulators.

Enclosed you will find information and documents responsive to each of the information requests. In this second response, Nicor has provided the most accurate information it currently has, given the limited time in which Nicor was required to respond. Nicor's investigation into these matters is on-going and this response will be timely supplemented as appropriate.

As a point of clarification regarding the information provided in this second response, we interpret your requests, and our responses are correspondingly limited, to providing U.S. EPA with information regarding the management of mercury regulators during Nicor's normal business operations. Therefore, the information provided should not be interpreted as addressing the waste handling associated with Nicor's response actions which are currently being coordinated at residences and other locations.

We should point out that certain information provided in this response is considered to contain confidential information. Specifically, Attachment 12(a) and Attachment 12(b) should be treated as confidential. Accordingly, we are requesting that those documents stamped "Confidential" in each of those Attachments be maintained and handled as Confidential Business Information ("CBI") consistent with U.S. EPA regulations regarding CBI material. Finally, while Nicor is committed to continuing to ensure that all efforts are undertaken to protect the health and safety of the public and to address any threats to the environment, none of the actions taken by Nicor nor any of the information provided herein should be construed as an admission of liability or a waiver of any applicable defenses or privileges.

Please contact me at the above listed address and telephone number with any questions or comments regarding the response provided in this letter.

Very truly yours,



Mark Latham

**Enclosures**

cc: Thomas Krueger, Esq.  
Alexander Allison, Esq.  
Richard Tappan

CH02/22081394.3

**The Response of Nicor Gas**  
**to the Second Section 104(e) Request for Information**

**(Relevant Time Period For This Second Response Is 1990 – 2000)**

1. Identify all locations where mercury was taken after its removal from regulators in Nicor customers' homes. Provide the names and addresses of all such locations.

**RESPONSE:**

After removal of a mercury regulator from a customer's home, the liquid mercury was transported to the nearest regional Nicor reporting center where it was stored prior to being transported to a recycling facility. Included as Attachment 1 to this second response is a list of the addresses of Nicor's reporting centers that may have received liquid mercury removed from the regulators during the relevant time period of 1990 – 2000 as requested by U.S. EPA ("Relevant Time Period").

Prior to approximately 1996, the procedures were to first take the liquid mercury to the nearest regional Nicor reporting center, but to subsequently transport the liquid mercury to the LaGrange, Illinois meter shop for centralized collection prior to recycling.

As discussed below in response to Question number 5, during the Relevant Time Period, the liquid mercury was subsequently transported for recycling to the following company:

D.F. Goldsmith Chemical and Metal Corporation  
909 Pitner Avenue  
Evanston, Illinois 60202

Finally, mercury spill kits are available to Nicor field personnel involved in the removal of mercury regulators. In the event a spill occurred, the waste materials resulting from the use of the spill kit were taken to the Nicor R&D Center until approximately 1995. Beginning in approximately 1996 waste material resulting from the use of a spill kit is handled as discussed below in response to Request number 4.

2. Identify all locations where regulators containing or formerly containing mercury were taken after their removal from Nicor customers' homes. Provide the names and addresses of all such locations.

**RESPONSE:**

After removal of a mercury regulator from a customer's home, the regulator is transported to the nearest regional Nicor reporting center. See Attachment 1 to this second response for a list of the addresses of Nicor's reporting centers to which the regulators may have been taken during the Relevant Time Period.

3. Describe in detail the procedures used for processing mercury at the locations identified in response to request 1 above.

**RESPONSE:**

The procedures for handling mercury during the time period from approximately 1996 and forward are as follows. When the liquid mercury is received at a reporting center, it is contained inside a mercury collection container which is typically a 1½ inch pipe nipple assembly with a cap and base. The liquid mercury is then transferred from the mercury collection container into the clean mercury storage container, which is a flask contained inside a secondary container, where it is stored until being transported to D.F. Goldsmith Chemical and Metal Corporation.

During the time frame from 1990 to approximately 1995, once the liquid mercury was received at the regional reporting center, it was stored at the reporting center inside the capped pipe nipples which were used for the initial transportation of mercury from a customer's home. Subsequently, the capped pipe nipples containing the liquid mercury were transported to the meter shop in LaGrange where mercury was then transferred into a larger collection container where it was stored until it was transported for recycling to D.F. Goldsmith Chemical and Metal Corporation.

Additional information regarding the procedures for processing mercury during the Relevant Time Period are included as Attachments 2 through 9 to this second response, and include the following documents: (a) Section 40 of the Safety Manual effective January 1, 2000, (b) the Safety Department Mercury Handling Lesson Plan, (c) portions of Nicor's Environmental Handbook, (d) portions of the Meters and Regulators training materials for pipe fitters's training, (e) an earlier version of Section 40 of the Safety Manual, effective August 1, 1996 (and which was superseded by the January 1, 2000 Section 40 document), (f) Standard Practices Operating - 35, which has been superseded by the Section 40 documents referenced above, and (g) two training videos entitled "Handling Mercury Safely" and "Proper Mercury Spill Clean-up."

4. Describe in detail the procedures used for processing regulators containing or formerly containing mercury at the locations identified in response to request 2 above. Provide copies of all documents describing those procedures.

**RESPONSE:**

The Attachments listed above in response to Question 3 also include discussions regarding the procedures used for handling regulators that contained or formerly contained mercury. As discussed in more detail in the referenced Attachments, once the regulators were received at the reporting center, the procedures provide that only those regulators which do not contain any visible mercury were to be placed in the scrap metal container for recycling. Any other mercury-contaminated materials, including regulators and debris, were to be placed in separate contaminated mercury storage containers and shipped off-site as hazardous waste.

5. Identify all locations where Nicor sent for disposal, reclamation, or other disposition, the mercury it collected from its customers' homes.

**RESPONSE:**

During the Relevant Time Period, the liquid mercury collected from the removal of regulators from customers' homes was sent to the following company for recycling:

D.F. Goldsmith Chemical and Metal Corporation  
909 Pitner Avenue  
Evanston, Illinois 60202

6. Identify all locations where Nicor sent for disposal, scrapping, reclamation, or other disposition, the regulators containing or formerly containing mercury that it collected from its customers' homes.

**RESPONSE:**

Included as Attachment 10 to this second response is a list of the scrap collection contractors that Nicor currently uses. It is possible that, during the Relevant Time Period, some of these scrap collection contractors never received mercury regulators from Nicor, but received other scrap metal, including spring-loaded regulators which did not contain mercury. By way of clarification, please note that some of the scrap collection contractors listed received scrap metal from more than one Nicor reporting center.

In addition, mercury-contaminated materials or debris, which possibly could have included some mercury regulators, were sent to the following facilities for treatment, disposal, or reclamation:

1. Mercury Waste Solutions  
21211 Durand Avenue  
Union Grove, Wisconsin 53182
2. Michigan Disposal Waste Treatment Plant  
49350 N. I-94 Service Drive  
Belleville, Michigan 48111
3. Treatment One  
5743 Chelwood Street  
Houston, Texas 77087

Nicor continues to investigate whether any mercury regulators were sent to these or any other facilities during the Relevant Time Period and will supplement this second response accordingly.

7. Identify all persons (including all companies) used by Nicor to transport mercury.

**RESPONSE:**

We interpret this question as requesting the persons (including all companies) used by Nicor to either transport mercury to the Nicor reporting centers, LaGrange meter shop, or to D.F. Goldsmith Chemical and Metal Corporation during the Relevant Time Period. Based on the information Nicor has been able to gather thus far, Attachment 11 to this second response includes a list of both the names of the companies that may have transported liquid mercury removed from the regulators for Nicor and/or the categories of Nicor employees who may have transported the same. Nicor continues to investigate whether any other persons or companies transported these materials during the Relevant Time Period and will supplement this response accordingly.

8. Identify all persons (including all companies) used by Nicor to transport regulators that contained or formerly contained mercury. This includes transportation for processing by Nicor and transportation for ultimate disposition after processing by Nicor.

**RESPONSE:**

Information responsive to this request for the Relevant Time Period is provided in both Attachment 10 and Attachment 11 to this second response. Nicor continues to investigate whether any other persons or companies transported such materials received from Nicor during the Relevant Time Period and will supplement this response accordingly.

9. Identify all commercial businesses which utilized regulators containing mercury or where regulators containing mercury have been removed.

**RESPONSE:**

The only commercial businesses that could have used mercury "regulators" would have used the same residential-sized regulators installed at homes. There are no industrial-sized mercury "regulators" used by Nicor's commercial or industrial customers. However, based on subsequent telephone conversations between Mr. Richard Tappan of Nicor and Mr. Brad Stimple of U.S. EPA, we were advised that Request number 9 seeks information regarding the use of industrial-sized pressure measuring manometers associated with gas meter sets at non-residential customers during the Relevant Time Period.

Nicor is currently in the process of researching its records and other information available in order to compile a complete list of those non-residential customers which utilized manometers containing mercury or where manometers containing mercury have been removed. In the interim, we are including as Attachment 12(a) and Attachment 12(b) to this second response a preliminary list of such locations. The non-residential customers listed on Attachment 12(a) have a higher potential to have manometers in service than those listed on Attachment 12(b). Nicor is unaware of any mercury releases associated with the meter sets located at the non-

residential customer locations identified in Attachment 12(a) or Attachment 12(b). Nicor is continuing its investigation into this matter and this list may be substantially modified based upon the results of this investigation. Nicor will supplement its response as soon as additional information is available.

As noted in the cover letter accompanying this second response, Nicor requests that U.S. EPA treat Attachment 12(a) and Attachment 12(b) as Confidential Business Information.

In addition to manometers, a few of Nicor's large volume industrial customers may have had a differential pressure gauge with a "U-tube" that contained mercury as part of their meter set installations. Nicor does not believe that any of its large volume industrial customers today have mercury-containing "U-tubes." However, Nicor continues its investigation to confirm that none of its large volume industrial customers have mercury-containing "U-tubes" as part of their meter set installations and will supplement its response accordingly.

**END OF THE RESPONSE OF NICOR GAS TO  
SECOND SECTION 104(e) REQUEST FOR INFORMATION**

CERTIFICATION

The undersigned states that, to the best of the undersigned's knowledge and belief, which is based in substantial part on review of corporate documents and discussions with corporate personnel, the information contained in this response is true and accurate. In addition, the documents submitted pursuant to the information request are true and authentic to the best of the undersigned's knowledge and belief.

*Richard J. Tappan*

State of ILLINOIS

County of DU PAGE:

Sworn to before me and subscribed in my presence by RICHARD J. TAPPAN this

8th day of SEPTEMBER 2000.



*Clifford A. Sisko*  
Notary Public

My Commission expires: \_\_\_\_\_



**ATTACHMENTS**

**REDACTED**

**NOT RELEVANT TO THE SELECTION OF  
THE REMOVAL ACTION**